

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 22, 2016

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ALVIN LUCKETT,

Plaintiff,

v.

MELVIN MOORE,

Defendant.

NO: 2:16-CV-0141-SMJ

ORDER ADOPTING REPORT AND
RECOMMENDATION, DISMISSING
ACTION AND DENYING LEAVE TO
PROCEED *IN FORMA PAUPERIS*

Magistrate Judge Dimke filed a Report and Recommendation on June 3, 2016, recommending this action be dismissed without prejudice and that Plaintiff's application to proceed *in forma pauperis* be denied, ECF No. 4. There being no objections, the Court **ADOPTS** the Report and Recommendation in its entirety.

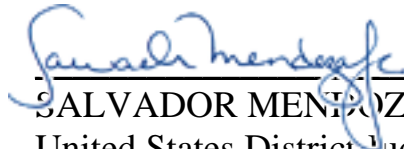
Therefore, **IT IS ORDERED** that this action, filed by a prisoner in Mississippi, is **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1406(a), and leave to proceed *in forma pauperis* is **DENIED**.

IT IS SO ORDERED. The Clerk of Court is directed to enter this Order, forward a copy to Plaintiff and close the file. The Court certifies pursuant to 28

ORDER ADOPTING REPORT AND RECOMMENDATION, DISMISSING
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1 U.S.C. § 1915(a)(3) that any appeal of this Order would not be taken in good faith
2 and would lack any arguable basis in law or fact.

3 **DATED** this 22nd day of June 2016.

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5 SALVADOR MENDOZA, JR.
6 United States District Judge
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